

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

GREGORY P. BARTUNEK,

Plaintiff,

vs.

EFRAME, LLC,

Defendants.

**8:16CV69**

**ORDER**

Plaintiff is currently incarcerated and was unable to attend a conference call today, the purpose of which was to set a scheduling order for this case. Accordingly,

IT IS ORDERED that the parties' motions to continue, (Filing Nos. 78 and 80), are granted as follows:

- 1) All depositions, whether or not they are intended to be used at trial, shall be completed by November 6, 2017. All interrogatories, requests for admission and requests for production or inspection, whether or not they are intended to be used at trial, shall be served on or before August 30, 2017.
- 2) All motions to amend the pleadings shall be filed on or before October 9, 2017. The parties must comply with the provisions of NECivR 15.1 when moving to amend the pleadings.
- 3) Motions to compel discovery shall be filed on or before November 20, 2017. The parties must comply with the provisions of NECivR 7.1(i) before filing a motion to compel.
- 4) Dispositive Motions. All dispositive motions shall be filed on or before December 6, 2017. The parties must comply with the provisions of NECivR 7.1 and NECivR 56.1 when filing summary judgment motions.
- 5) Pretrial Conference.
  - a. Defense counsel will have the primary responsibility for drafting the Order on Final Pretrial Conference, pursuant to the format and requirements set out in NECivR 16.2(a)(2). The plaintiff will be responsible for cooperating in the preparation and signing of the final version of the Order. The Order

should be submitted to the plaintiff and to any other parties by February 6, 2018. The plaintiff shall provide additions and/or proposed deletions to Defense counsel by February 20, 2017. Defense counsel shall submit the Proposed Order on Final Pretrial Conference to the court by no later than March 5, 2018. If a party proposes an addition or deletion which is not agreed to by all the other parties, that fact should be noted in the text of the document. The Proposed Order on Final Pretrial Conference must be signed by all pro se parties and by counsel for all represented parties.

- b. The Final Pretrial Conference will be held before the Magistrate Judge on March 13, 2018, at 10:00 a.m. Prior to the pretrial conference, all items as directed in NECivR 16.2 and full preparation shall have been completed so that trial may begin at any time following the Pretrial Conference.
  - c. If a plaintiff is held in an institution, the pretrial conference will be by telephone. In that case, Defense counsel shall contact the plaintiff's institution in advance and arrange to initiate and place the conference call.
- 6) The trial date will be set by the Magistrate Judge at the time of the Final Pretrial Conference.

July 11, 2017.

BY THE COURT:

s/ Cheryl R. Zwart

United States Magistrate Judge